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Leprino Foods Health & Welfare Plan  
9

10 **UNITED STATES DISTRICT COURT**

11 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

12 LEPRINO FOODS COMPANY;  
13 LEPRINO FOODS HEALTH &  
WELFARE PLAN,

14 Plaintiffs,

15 v.

16 AVANI OUTPATIENT SURGICAL  
17 CENTER, INC., a California  
Corporation; MOUNTAIN VIEW  
18 SURGICAL CENTER, INC., a  
California Corporation; THE CENTER  
19 FOR SURGERY AT BEDFORD, LLC,  
a California limited liability company;  
20 AMY ZARAGOZA, an individual;  
BABAK MOEINOLMOLKI, an  
21 individual; BENHAM KASHANCHI,  
an individual; SAMUEL KASHANI, an  
22 individual; SHERVIN AMINPOUR, an  
individual; RALPH MAYER, an  
23 individual; MICHAEL YADEGARI, an  
individual; KARAPET  
24 DERMENDJIAN, an individual;  
SEPEHR LALEZARI, an individual;  
25 MARIO ROSENBERG, an individual;  
PEYMAN SOLIEMANZADEH, an  
26 individual; and DOES 1-30,

27 Defendants.

28 AND RELATED COUNTERCLAIMS.

Case No. 2:22-cv-07434 DSF (JC)

Assigned to Judge Dale S. Fischer.  
Courtroom 7D

**DECLARATION OF ANGELA  
HAN IN SUPPORT OF  
PLAINTIFFS LEPRINO FOODS  
COMPANY AND LEPRINO  
FOODS HEALTH & WELFARE  
PLAN'S MOTION TO COMPEL  
DISCOVERY FROM  
DEFENDANT MOJGAN  
KASHANCHI, AS  
ADMINISTRATOR OF BEHNAM  
KASHANCHI'S ESTATE**

Judge: Hon. Jacqueline Choolijian  
Date: April 23, 2024  
Time: 9:30 a.m.  
Crtrm.: 750

Action Filed: October 12, 2022  
Trial Date: February 11, 2025

**DECLARATION OF ANGELA HAN**

I, Angela Han, declare as follows:

1. I am an attorney duly admitted to practice before this Court. I am an associate with Hanson Bridgett LLP, attorneys of record for Plaintiffs Leprino Foods Company and Leprino Foods Health & Welfare Plan ("Leprino"). I submit this declaration in support of Leprino's Motion to Compel further written responses to the Interrogatories seeking asset-related discovery from Defendant Mojgan Kashanchi, in her capacity as Administrator of Benham Kashanchi's Estate (the "Estate"). I have personal knowledge of the facts set forth herein, except as to those stated on information and belief and, as to those, I am informed and believe them to be true. If called as a witness, I could and would competently testify to the matters stated herein.

2. On November 2, 2023, Leprino propounded Requests for Production of Documents, Set One ("Requests") on Mojgan Kashanchi in her individual and representative capacities as Administrator Of Behnam Kashanchi's Estate (the "Estate"), as Trustee of the Behnam Kashanchi & Mojgan Kashanchi Revocable Living Trust, and as Trustee of the Kashanchi B & M Living Trust (collectively, the "Kashanchi Defendants"). A true and correct copy of the Requests is attached as **Exhibit A**.

3. On December 4, 2023, the Kashanchi Defendants, including the Estate, served a set of "General Objections" and additional boilerplate objections based on privilege and confidential financial information, which were followed by statements of a future promise for each Request that Defendants "will perform a reasonable search and produce relevant, non-privileged documents responsive to this request, if any such documents can be found in Defendants' possession, custody, or control." (emphasis added). In so doing, Defendants failed to timely respond. Defendants were required to actually conduct a search of the responsive information and documents, and provide the results of that search in connection with each Request

1 by the December 4, 2023 deadline. A true and correct copy of the Estate's responses  
2 to the Requests is attached as **Exhibit B**. After three meet and confer letters, and a  
3 video call, Kashanchi Defendants made a limited production containing only  
4 medical and patient-related records on February 16, 2024 Bates labeled  
5 KASHANCHI 00001-00150.

6 4. On November 3, 2023, Leprino propounded Interrogatories, Set One,  
7 on the Estate. A true and correct copy of the Interrogatories is attached as **Exhibit**  
8 **C**.

9 5. On December 4, 2023, the Kashanchi Defendants served only  
10 boilerplate objections in response to the interrogatories without providing a single  
11 substantive answer. Instead, Defendants assert only General Objections and  
12 additional boilerplate objections based on privilege without any privilege log, and  
13 vagueness as to the term "YOU" – even though that term is specifically defined in  
14 the instructions – and other commonly understood terms in violation of Fed. R. Civ  
15 P. 33(b)(4) (requiring that the grounds for objections to Interrogatories be stated  
16 with specificity). A true and correct copy of the Estate's responses to the  
17 Interrogatories is attached as **Exhibit D**.

18 6. Leprino sent its first meet and confer letter on January 10, 2024  
19 addressing the deficiencies in the Kashanchi Defendants' written responses and still  
20 missing document production. A true and correct copy of the January 10, 2024 letter  
21 is attached as **Exhibit E**.

22 7. Kashanchi Defendants sent a response letter on January 23, 2024  
23 stating, in relevant part to the subject dispute, that the asset-related information  
24 sought in the Interrogatories are irrelevant to Leprino's claims and contain  
25 confidential financial information. Defendants further represented that the document  
26 search was underway but did not provide any anticipated timeframe of completion.  
27 A true and correct copy of the January 23, 2024 response letter is attached as  
28 **Exhibit F**.

1           8.     In this matter, Leprino has sought from all Defendants their banking  
2 and financial relating to the patients they treated from Leprino's Plan, including  
3 payments patients may have made to them, payments they made to each other, and  
4 payments they received from United on behalf of Leprino's Plan. Given the  
5 overlapping nature of this financial information and asset-related information of the  
6 Kashanchi Estate, Leprino includes all financial discovery in the subject joint  
7 stipulation out of an abundance of caution.

8           9.     Kashanchi Defendants, including the Estate, signed the Stipulated  
9 Protective Order on November 15, 2023 —the purpose of which is to protect the  
10 confidentiality and privacy of sensitive documents during the litigation [Dkt. 103].  
11 A true and correct copy of the executed acknowledgment and agreement to be  
12 bound is attached as **Exhibit G**. Kashanchi Defendants agreed to abide by the E-  
13 Discovery Specification Order by e-mail on November 17, 2023 [Dkt. 123-124].

14          10.    Leprino sent a final meet and confer letter regarding the Kashanchi  
15 Defendants' interrogatory responses on February 5, 2024, which provided further  
16 authority supporting Leprino's position that the Kashanchi Defendants' boilerplate  
17 objections are meritless, requested substantive responses by February 15, 2024, and  
18 requested a prefiling conference within 10 days pursuant to Central District Local  
19 Rule 37-1. A true and correct copy of the February 5, 2024 letter is attached as  
20 **Exhibit H**.

21          11.    On February 13, 2024, Leprino held a video meet and confer call with  
22 Kashanchi Defendants. During the call, the parties discussed and agreed that  
23 information relating to the underlying fraud claims at issue are relevant and  
24 discoverable, and that this was a different category of information than the asset-  
25 related information concerning the Kashanchi Estate and trusts, which defendants  
26 objected to on the basis of being irrelevant and premature. Thus, Kashanchi  
27 Defendants agreed to produce only documents relating to the former category, that  
28 is, all medical / billing records, in addition to emails and texts that relate to the

1 financial information relevant to the factual allegations in the Complaint, such as  
2 bank / credit card statements, checks, wire payments, cash transactions. Leprino also  
3 attempted to help the Kashanchi Estate construe the Interrogatories through the meet  
4 and confer process, and any ambiguity has been resolved. Defendants' counsel  
5 represented that they will not produce any asset-related information, amend the  
6 interrogatories, or answer any such questions at deposition. Leprino advised  
7 Defendants that a Joint Stipulation on this issue would likely be needed.

8       12. On February 16, 2024, Leprino sent a third meet and confer letter to  
9 address the outstanding dispute regarding the timeliness and relevance of asset-  
10 related discovery. In the letter, Leprino explained its position that Leprino is entitled  
11 to conduct asset-related discovery into the Estate pursuant to the court's February  
12 14, 2024 order on the Kashanchi Defendants' motion to dismiss and the applicable  
13 Probate Code provisions. A true and correct copy of the February 16, 2024 letter is  
14 attached as **Exhibit I**. Without waiving Leprino's right to pursue all financial  
15 discovery from the Estate, Trusts, and Joint Tenancies, as part of the meet and  
16 confer process, Leprino offered to limit its discovery – at this time – to the bank  
17 accounts and assets specifically controlled by the Kashanchi Estate. Thereafter, in a  
18 March 1, 2024 email, Kashanchi Defendants' counsel restated their position that the  
19 assets of the Estate are relevant at this time, and disputed Leprino's right to conduct  
20 asset-related discovery into the Estate's assets until a judgment has been obtained. A  
21 true and correct copy of the March 1, 2024 email is attached as **Exhibit J**. As the  
22 party resisting discovery, the Kashanchi Estate has not satisfied its burden with any  
23 citation to a case or statute. Therefore, Leprino determined that the parties were at  
24 an impasse and informed the Kashanchi Estate's counsel that Leprino would be  
25 preparing a Joint Stipulation to request a Court order compelling this financial  
26 discovery from the Kashanchi Estate. This joint stipulation followed.

27       13. On March 15, 2024, after Leprino already sent the joint stipulation, the  
28 Kashanchi Estate produced an additional 20 pages which contained only six checks

1 and is insufficient. These additional pages do not resolve the Kashanchi Estate's  
2 outstanding financial discovery obligation.

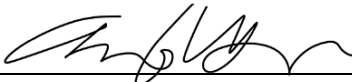
3 14. The Kashanchi Estate's actions have caused unwarranted delay, which is  
4 not excusable and warrants monetary sanctions. Leprino seeks monetary sanctions for  
5 my fees and costs incurred in connection with the Motion, including specifically:

- 6 • 6.2 hours meeting and conferring.
- 7 • 9.3 hours reviewing and revising the Motion.

8 For a total of \$7,905.00 amount (my hourly rate is \$510).

9 I declare under penalty of perjury under the laws of the United States of  
10 America that the foregoing is true and correct.

11 Executed on this 19th day of March, 2024, at San Francisco, California.

12  
13   
14 \_\_\_\_\_  
Angela Han

**PROOF OF SERVICE**

**Leprino Foods Company, et al., v. Avani Outpatient Surgical Center, et al.  
U.S.D.C. Central District of CA, Case No. 2:22-cv-07434 DSF (JC)**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 777 S. Figueroa Street, Suite 4200, Los Angeles, CA 90017.

On March 19, 2024, I served true copies of the following document(s) described as **DECLARATION OF ANGELA HAN IN SUPPORT OF PLAINTIFFS LEPRINO FOODS COMPANY AND LEPRINO FOODS HEALTH & WELFARE PLAN'S MOTION TO COMPEL DISCOVERY FROM DEFENDANT MOJGAN KASHANCHI, AS ADMINISTRATOR OF BEHNAM KASHANCHI'S ESTATE** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 19, 2024, at Los Angeles, California.

/S/ Silvia Abrignani  
Silvia Abrignani

**SERVICE LIST**

**Leprino Foods Company, et al., v. Avani Outpatient Surgical Center, et al.**

**U.S.D.C. Central District of CA, Case No. 2:22-cv-07434 DSF (JC)**

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